

CALENDAR ITEM

C72

A 72

02/20/15

S 34

PRC 5746.1

D. Oetzel

REVISION OF RENT

LESSEE:

Clifford L. Winget III and Kathleen E. Winget, Trustees of the Winget Family Trust

LAND TYPE AND LOCATION:

Sovereign land in Huntington Harbour, adjacent to 16732 Coral Cay Lane, city of Huntington Beach, Orange County.

AUTHORIZED USE:

The removal of an existing boat dock and the construction, use and maintenance of a boat dock; the retention, use and maintenance of an existing access ramp and a cantilevered deck extending no more than five feet waterward of the bulkhead.

LEASE TERM:

10 years, beginning March 20, 2007.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff conducted a review of the rent under this lease and recommends that rent be revised from \$1,080 per year to \$1,296 per year, effective March 20, 2015.

OTHER PERTINENT INFORMATION:

1. Lessee owns the upland adjacent to the Lease Premises.
2. On August 11, 2009, the Commission authorized a General Lease – Recreational Use to Clifford L. Winget III and Kathleen E. Winget, Trustees of the Winget Family Trust, for the removal of an existing boat dock and the construction, use and maintenance of a boat dock; the retention, use and maintenance of an existing access ramp and a cantilevered deck extending no more than five feet waterward of the bulkhead. The lease will expire on March 19, 2017.

CALENDAR ITEM NO. **C72** (CONT'D)

3. The lease was authorized by the Commission prior to the enactment of Chapter 585, Statutes of 2011, which requires the Commission to charge rent for private recreational piers constructed on state lands. Consequently, no rent is charged under the current lease for the existing boat dock and access ramp. Rent is charged for the cantilevered deck. Staff conducted the rent review called for in the lease and recommends the rent increase for the cantilevered deck.
4. Staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBIT:

- A. Site And Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

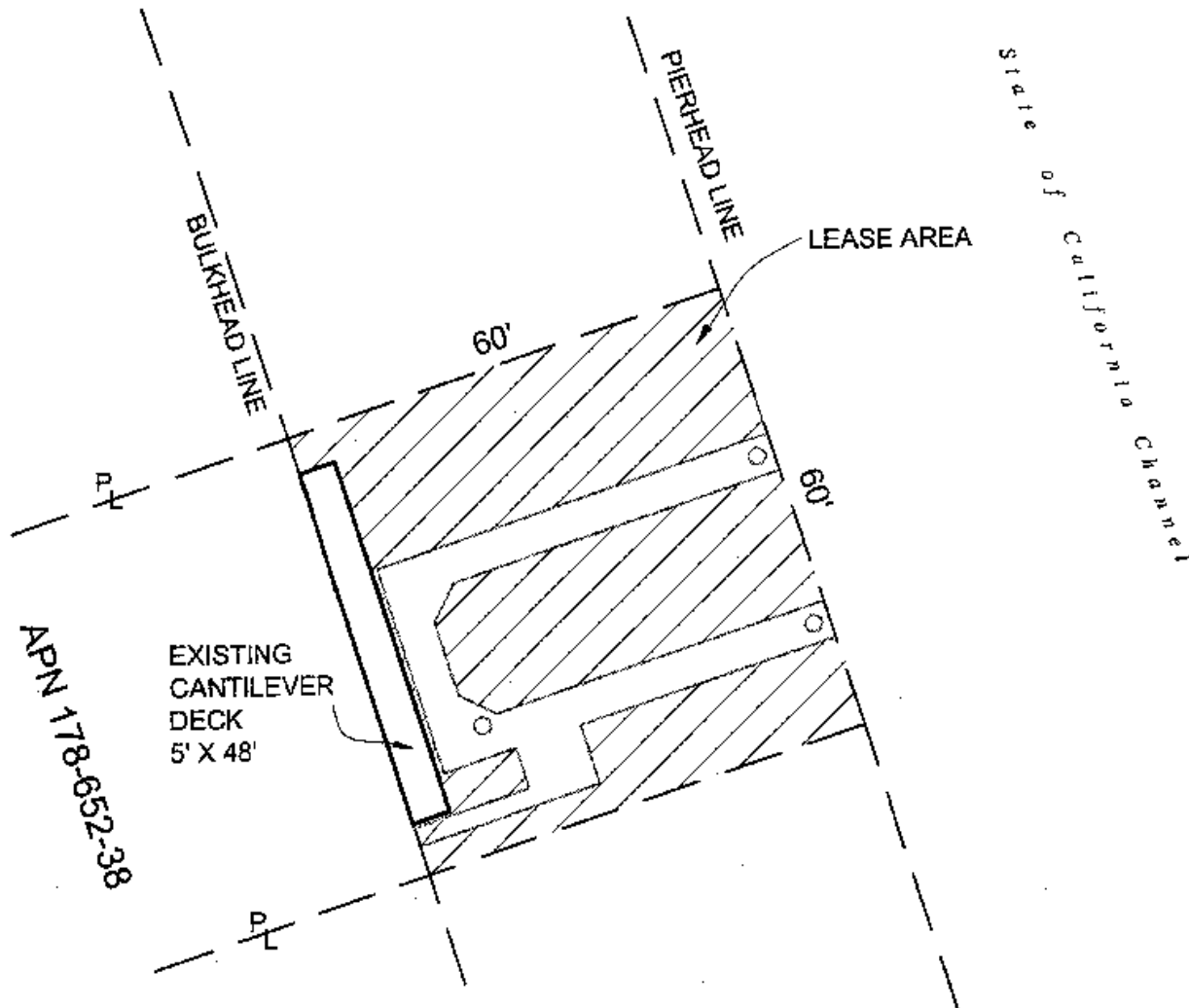
Find that the subject revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 5746.1 from \$1,080 per year to \$1,296 per year, effective March 20, 2015.

NO SCALE

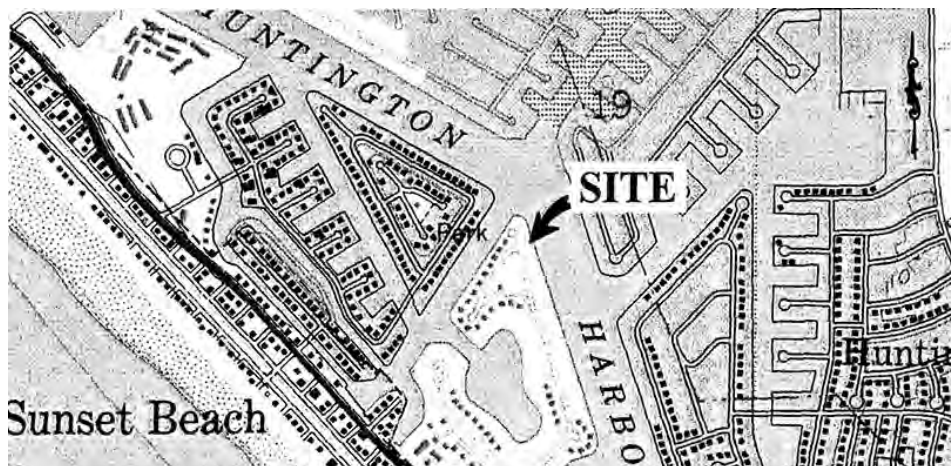
SITE



16732 CORAL CAY LANE, HUNTINGTON BEACH

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

PRC 5746.1
WINGET TRUST
APN 178-652-38
GENERAL LEASE -
RECREATIONAL USE
ORANGE COUNTY



MII 12/2014